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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Applicant: Khoi A. Phan, et al.

Serial No.: 10/653,309

Filed: September 2, 2003

For: SYSTEM AND METHOD OF PATTERN RECOGNITION AND METROLOGY STRUCTURE FOR AN

X-INITIATIVE LAYOUT DESIGN

Art Unit: **2818** 

Examiner: Phuc T. Dang

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for: (a) pending applications (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120(c), or (c) U.S. Patent(s) and published application(s):

Serial No.:	 	·	 _
Filing Date:			

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

- 2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):
  - (a) \_\_\_ Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
  - (b) \_\_\_ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".
  - 3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):
    - (a) \_\_\_ Within 3 months of the filing date or date of entry into the National Stage.
    - (b) \_\_\_ Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R.

- (c) X After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.
   (1) X The required certification is given below, or
  - (2) \_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement.
- (d) \_\_\_ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.
  - Enclosed is a Credit Card Payment Form (PTO-2038) covering the fee set forth in 37 C.F.R. 1.17(i)(1), or

## 4. Certification (if applicable)

- (a) X The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.
- (b) \_\_\_ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

Respectfully Submitted, AMIN & TUROCY, LLP

By

AMIN & TUROCY, LLP 24<sup>TH</sup> Floor, National City Center 1900 E. 9<sup>th</sup> Street Cleveland, Ohio 44114 Himanshu S. Amin Reg. No. 40,894

## **CERTIFICATE OF MAILING**

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450. Alexandria, VA 22313-1450.

4-8-05

Himanshu S. Amin

PTO/SB/08a (08-03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Substitute for form 1449A/PTO

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Complete if Known		
Application Number	10/653,309	
Filing Date	September 2, 2003	
First Named Inventor	Khoi A. Phan	
Art Unit	2818	
Examiner Name	Phuc T. Dang	
Att Destal March As	***************************************	

(Use as many sheets as necessary)

Sheet 1 of 2 Attorney Docket Number H1906/AMDP985US

U. S. PATENT DOCUMENTS Pages, Columns, Lines, Where Name of Patentee or **Publication Date Document Number** Examiner Cite Relevant Passages or Relevant Applicant of Cited Document MM-DD-YYYY No.1 Initials\* Figures Appear Number-Kind Code<sup>2</sup> (if known) US- 6,342,735 B1 James J. Colleli, et al. 01-29-2002 US- 5,049,925 A 09-17-1991 Aiton, et al. US- 6,084,679 A Steffan, et al. 07-04-2000 US- 3,861,798 A Kobayashi, et al. 01-21-1975 US- 6, 269,322 B1 Michael K. Templeton, et al. 07-31-2001 US-US-US-US-US-US-US-US-US-US-

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Foreign Patent Document  Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>		
		WO 01/09927 A	02-08-2001	Infineon Tech. NA Corp.	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
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	Date	
Examiner	Date	
	Considered	
Signature	Considered	

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Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO				Complete if Known		
				Application Number	10/653,309	
INFORMATION DISCLOSURE				Filing Date	September 2, 2003	
STATE	STATEMENT BY APPLICANT			First Named Inventor	Khoi A. Phan	
				Art Unit	2818	
(Use as many sheets as necessary)		Examiner Name	Phuc T. Dang			
Sheet	2	of	2	Attorney Docket Number	H1906/AMDP985US	

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>		
		C. ANGIONI "International Search Report", February 9, 2005, HV Rijswijk, Netherlands			
	•	BOB DEAN, et al. "DEsign-to-process integration: optimizing 130 nanometer X Architecture manufacturing" Proceedings of SPIE, vol. 5042, July 2003 (2003 - 07), pages 197 - 204			
	**************	CANON INC. Patent Abstracts of Japan vol. 011, no. 346 (E-556), 12 November 1987			
		FUJITSU LTD. Patent Abstracts of Japan vol. 017, no. 272 (E-1371), 26 May, 1993			
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Examiner	Date	
Signature	Considered	

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<sup>1</sup> Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.